

Approved, SCAO

ORDER APPROVING SETTLEMENT & GRANTING AUTHORITY
TO DISTRIBUTE SETTLEMENT TO RESTRICTED ACCOUNT &

JIS CODE: OCF

STATE OF MICHIGAN
PROBATE COURT
COUNTY OF CassORDER REGARDING APPOINTMENT
OF CONSERVATOR
☐ ADULT ☒ MINOR

FILE NO.

2024-052 -CY

Estate of [REDACTED] a minor, a protected individual
First, middle, and last name1. Date of hearing: 04/08/2024 Judge Carol M. Bealor P57068
Bar no.

THE COURT FINDS:

2. Notice of hearing was given to or waived by all interested persons.

☐ 3. The individual is not in need of a conservator.☐ 4. Upon presentation of clear and convincing evidence, the adult individual is in need of a conservator because s/he is unable to manage his/her property and business affairs effectively because of

- | | | |
|--|--|--|
| <input type="checkbox"/> mental illness. | <input type="checkbox"/> mental deficiency. | <input type="checkbox"/> physical illness or disability. |
| <input type="checkbox"/> chronic use of drugs. | <input type="checkbox"/> chronic intoxication. | <input type="checkbox"/> confinement. |
| <input type="checkbox"/> detention by a foreign power. | <input type="checkbox"/> disappearance. | <input type="checkbox"/> other: _____ |

and ☐ a. the individual has property that will be wasted or dissipated unless proper management is provided, or
☐ b. money is needed for the support, care, and welfare of the individual or those entitled to be supported by the individual and that protection is necessary to obtain or provide the money.☐ 5. The individual is mentally competent but because of age or physical infirmity is unable to manage his or her property and affairs effectively and, recognizing this disability, has requested a conservator's appointment.☒ 6. Upon presentation of clear and convincing evidence, the minor individual is in need of a conservator because the minor

- ☒ a. owns money or property that requires management or protection that cannot otherwise be provided.
- ☐ b. has or may have business affairs that may be jeopardized or prevented by the person's minority.
- ☐ c. needs money for support and education, and protection is necessary or desirable to obtain or provide money.

☐ 7. It is in the ward's best interests for the guardian to sell or otherwise dispose of the ward's real property or interest in real property. The guardian should be appointed as special conservator to petition for sale of the real estate.☐ 8. There is no qualified, suitable individual willing to act as conservator and the appointment of a professional conservator is in the best interests of the adult or minor. A bond must be filed.☒ 9. The value of cash and property that is readily convertible into cash in the estate exceeds the limit for administering the estate under MCL 700.3982.

- ☐ a. Bond must be filed.
- ☒ b. Bond is not required under MCL 700.5410(1) because
- ☒ the estate contains no property readily convertible to cash, and the cash is already in a restricted account with a financial institution or will be deposited in a restricted account.
- ☐ the conservator has trust powers pursuant to MCL 487.14401.
- ☐ requiring a bond would impose a financial hardship on the estate.
- ☐ other: _____

10. The Court finds the settlement is fair and equitable and should be approved and the funds put in a restricted account.

(SEE SECOND PAGE FOR ORDER)

Do not write below this line - For court use only

Order Regarding Appointment of Conservator (12/18)

File No. 2024-052 -CY**IT IS ORDERED:**

10. The petition for the conservator is ☒ granted. ☐ denied on the merits. ☐ dismissed/withdrawn.
The conservator is not permitted to act until letters of conservatorship are issued.

- ☒ 11. _____, whose address and telephone number are
Name (type or print)
_____, _____, _____, _____, _____, is appointed
Address City State Zip Telephone no.

☒ a. conservator of all assets of the individual's estate.

☐ b. limited conservator of the following assets: _____

_____. The individual retains title to all other assets in the estate.

☐ c. special conservator with authority to proceed under MCL 700.5423(3) in order to dispose of real property.

Acceptance of appointment must be filed.

☐ Bond at \$ _____ must be filed.

☒ \$ ALL FUNDS shall be deposited in a restricted account. (Verification must be filed using form PC 669 pursuant to MCR 5.409[C][4].)

The conservator is not permitted to act until letters of conservatorship are issued. After qualification, the conservator shall comply with all relevant requirements under the law.

- ☒ 12. The conservator is not required to file an annual account.

- ☒ 13. The ☐ attorney ☒ guardian ad litem _____ for the individual is discharged.

- ☒ 14. **IT IS FURTHER ORDERED:** that the Petition to Approve Settlement is granted and Conservator has the authority to place the funds in a restricted account.

RESTRICTIONS: Conservator shall not sell real property without a prior court order of approval. Any funds received on behalf of the minor shall be placed in an interest bearing savings account or certificate of deposit with a licensed banking institution or savings and loan association upon condition of no withdrawals, transfers, or redemptions except upon written consent of the Cass County Probate Court. Conservator shall cause the financial institution to provide the Court with Verification of Funds on Deposit, acknowledging these restrictions, within 30 days of receipt of the funds. In addition to the foregoing, but subject to the same restrictions and obligations, funds may be deposited in a brokerage house account protected by S.I.P.C. if an authorized officer of the firm, in writing, accepts the restrictions and obligations and signs the Verification of Funds on Deposit.

04/08/2024

Date

Carol M. Bealor

P57068

Judge Carol M. Bealor

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